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According to the Examiner, the inventions are distinct because Inventions I and II are related as process and apparatus for its practice. According to the Examiner, Invention I requires a set of path marking references disposed along the path which is not required in Invention II.

It is respectfully submitted that the requirement for restriction between the claims of Group I and Group II is improper and should be withdrawn. All of the claims now pending in this application should be examined at this time.

Applicants respectfully submit that the claims as filed relate to a system for controlling a set of material carriers in real time under control of a master controller as well as to a method of exchanging data between said set of material carriers under control of said master controller. Thus the two allegedly distinct inventions on which the requirement for restriction is based should, in fact, be examined simultaneously. Although the Examiner considers the application to contain different inventions, Applicants respectfully submit that there would be no hardship or extra burden in examining both groups of claims at once. Accordingly, withdrawal of the restriction requirement and examination of all claims presented in the application are respectfully requested.

Notwithstanding the foregoing arguments, Applicants hereby elect the species forming Group A. This group includes the following embodiments:

Ai – a system for controlling a set of material carriers that senses its location by reading markers. The claims readable on the elected species Ai include Claims 1, 2, 3, 4, 6, 7, 11 and 12; and

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Aii – a system for controlling a set of material carriers that senses its location by responding to signals from at least one GPS system. The claims readable on the elected species Aii include Claim 4.

Upon allowance of a generic claim, Applicants respectfully request consideration of all claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claims as provided by 37 C.F.R. § 141.

Applicants expressly reserve the right under 35 U.S.C. § 121 to prosecute the nonelected subject matter by way of a separate divisional application.

In view of the foregoing, early and favorable consideration of the claims of the application is respectfully requested.

Respectfully submitted,



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